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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,563	10/18/2001	Shigeru Kitsutaka	110713	2263

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Oliff & Berridge
P.O. Box 19928
Alexandria, VA 22320

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,563

Applicant(s)

KITSUTAKA, SHIGERU

Examiner

Greg Cunningham

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 19-26, 37-44 and 55-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 19-26, 37-44 and 55-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 14.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of amendment received 02/20/2004.
2. The disposition of the claims is as follows: claims 1-8, 19-26, 37-44 and 55-60 are pending in the application. Claims 1, 19 and 37 are independent claims. Claims 55-60 are newly added.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 19, 20, 37, 38 and 55-60 are rejected under 35 U.S.C. 102(b) as being disclosed by Bollman, (US Patent 5,218,350), and further in view of Udea, (US Patent 4,935,879).

A. Claim 1, "A game system which generates an image, comprising:
a memory which stores a program and data for image generation [col. 3, lns. 13-15; col. 3, lns. 52-66 and col. 4, lns. 39-43]; and
at least one processor which is connected to the memory and performs processing for image generation, at least one processor including [col. 3, lns. 52-66]:
an index number setting section which sets image information of an original image as an index number in a lookup table for index color texture-mapping [col. 4, lns. 4-38]; and

Art Unit: 2676

a drawing section which transforms the image information of the original image by performing index color texture-mapping on a virtual object by using the lookup table in which the image information of the original image is set as the index number [col. 4, lns. 4-38]" is disclosed [as detailed by Bollman]. Wherein [an image originally defined in 24 bit color, is reduced to a predetermined number of colors (a color set), between 27 and 128 in number, each color indexed in an 8 bit look up table, so that each pixel is color identified with a index pointer to a color or appearance characteristic in the look up table] corresponds to "index number setting section" and [These values are then converted to chrominance/luminance space in a known chrominance/luminance transform at step 30. The position of the color set may then be varied through luminance/chrominance space to derive a new color image, with the actual rotation equations only applied to the reduced color set. Upon achieving the desired image appearance, the luminance/chrominance rotation selected is applied to the original 24 bit image image, and a new reduced RGB color set is derived.] corresponds to "a drawing section which ...". However Bollman lack of texture is disclosed by Ueda in col. 9, lns. 32-38.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply indexing disclosed by Bollman in combination with texture indexing disclosed by Ueda, and motivated to combine the teachings because it would provide a texture mapping apparatus and method capable of executing shading processing according to the color index method together with texture mapping processing as revealed by Uade in col. 3, lines 9-13.

(Examiner's note: "game system" of claim 1 carries no patentable weight.)

Art Unit: 2676

B. Per independent claims 19 and 37, these are directed to a computer usable program and a method, respectively, for the system of independent claim 1, and therefore are rejected to independent claim 1.

C. Claim 2, "The game system as defined in claim 1, wherein the virtual object is a polygon having a size equal to a size of a display screen" is disclosed, supra for claim 1.

However Bollman does not seem to disclose "wherein the virtual object is a polygon having a size equal to a size of a display screen", Udea does in Fig. 7 as shown.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply indexing as disclosed by Bollman in combination with polygons disclosed by Udea, and motivated to combine the teachings because it would "provide a texture mapping apparatus and method capable of executing shading processing according to the color index method together with texture mapping processing" as revealed by Udea in col. 3, lines 10-13.

D. Per dependent claims 20 and 38, these are directed to a computer usable program and a method, respectively, for the system of dependent claim 2, and therefore are rejected to dependent claim 2.

E. Claim 55, "The game system as defined in claim 1, wherein the image information of the original image set as index number is perspective-transformed information" is disclosed, supra for claim 1. However Bollman does not seem to disclose "wherein the image information of the original image set as index number is perspective-transformed information", but Ueda does in col. 1, lns. 18-24.

Art Unit: 2676

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply indexing disclosed by Bollman in combination with perspective information disclosed by Ueda, and motivated to combine the teachings because it would provide a texture mapping apparatus and method capable of executing shading processing according to the color index method together with texture mapping processing as revealed by Ueda in col. 3, lines 9-13.

F. Claim 58, “The game system as defined in claim 1, wherein the image information of the original image set as index number is at least one of color information, alpha value information, and depth value information” is disclosed, supra for claim 1. Although Bollman discloses “the original image set as index number is at least one of color information” in col. 3, ln. 67 – col. 4, ln. 38, Bollman does not seem to disclose “wherein the image information of depth value information”, but Ueda does in col. 3, lns. 9-13; and col. 4, lns. 24-31.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply color information disclosed by Bollman in combination with depth information disclosed by Ueda, and motivated to combine the teachings because it would provide a texture mapping apparatus and method capable of executing shading processing according to the color index method together with texture mapping processing as revealed by Ueda in col. 3, lines 9-13.

G. Per dependent claims 56, 59 and 57, 60, these are directed to a computer usable program and a method, respectively, for the system of dependent claims 55 and 58, and therefore are rejected to dependent claims 55 and 58.

Art Unit: 2676

5. Claims 3, 21 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollman and Ueda as applied to claims 1, 27 and 45 above, and further in view of Regan, (US-PAT-NO 6,611,264).

A. Claim 3, "The game system as defined in claim 1, wherein the virtual object is a polygon having a size equal to a size of a block obtained by dividing a display screen into blocks" is disclosed supra for claim 1. However Bollman Ueda do not appear to disclose "wherein the virtual object is a polygon having a size equal to a size of a block obtained by dividing a display screen into blocks", but Regan does in col. 1, lns. 40-51.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply texture mapping disclosed by Bollman and Ueda in combination with triangular polygon blocks disclosed by Regan, and motivated to combine the teachings because they are frequently used as building blocks as revealed in col. 1, line 40.

B. Per dependent claims 21 and 39, these are directed to a computer usable program and a method, respectively, for the system of dependent claim 3, and therefore are rejected to dependent claim 3.

6. Claims 4, 5, 8, 22, 23, 26, 40, 41 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollman and Ueda as applied to claims 1, 27 and 45 above, and further in view of Duluk, Jr. et al., (US-PAT-NO 6,597,363B1), hereafter Duluk.

A. Claim 4, "The game system as defined in claim 1, wherein the lookup table is used to perform gamma correction, negative/positive inversion, posterization, solarization, binarization monotone filtering or sepia filtering on the image information of the original image" is disclosed by Ueda supra for claim 1. However Bollman and Ueda do not appear to disclose "wherein the

Art Unit: 2676

lookup table is used to perform gamma correction, negative/positive inversion, posterization, solarization, binarization monotone filtering or sepia filtering on the image information of the original image”, but Duluk does in col. 113, lns. 46-51.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply texture mapping disclosed by Bollman and Ueda in combination with gamma correction disclosed by Duluk, and motivated to combine the teachings because the look-up RAM act as look-up table for gamma correction as revealed by Duluk.

B. Per dependent claims 22 and 40, these are directed to a computer usable program and a method, respectively, for the system of dependent claim 4, and therefore are rejected to dependent claim 4.

C. Claim 5, “The game system as defined in claim 1, wherein one of color components of color information in the image information of the original image is set as the index number in the lookup table for the transformation of the color information; and wherein the game system further comprises means which performs masking on other color components of the transformed color information to avoid being drawn in the drawing region” is disclosed supra for claim 1. However Bollman and Ueda do not appear to disclose “wherein one of color components of color information in the image information of the original image is set as the index number in the lookup table for the transformation of the color information; and wherein the game system further comprises means which performs masking on other color components of the transformed color information to avoid being drawn in the drawing region”, but Duluk does in col. 4, lns. 18-34.

Art Unit: 2676

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply texture mapping disclosed by Bollman and Ueda in combination with depth using Z-buffering and LUT disclosed by Duluk, and motivated to combine the teachings because the look-up RAM act as look-up table for Z-buffering as revealed by Duluk.

D. Per dependent claims 23 and 41, these are directed to a computer usable program and a method, respectively, for the system of dependent claim 5, and therefore are rejected to dependent claim 5.

E. Claim 8, "The game system as defined in claim 1, wherein a depth value in the image information of the original image is set as the index number in the lookup table" is disclosed supra by Ueda and Duluk for claim 5.

F. Per dependent claims 26 and 44, these are directed to a computer usable program and a method, respectively, for the system of dependent claim 8, and therefore are rejected to dependent claim 8.

7. Claims 6, 7, 24, 25, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollman and Ueda as applied to claims 1, 27 and 45 above, and further in view of Schilling et al., (US-PAT-NO 6,236,405B1), hereafter Schilling.

A. Claim 6, "The game system as defined in claim 1, further comprising means which blends: transformed color information obtained by setting the K-th color component of the color information in the image information of the original image as the index number in the lookup table; transformed color information obtained by setting the L-th color component of the color information as the index number in the lookup table; and transformed color information obtained by setting the M-th color component of the color information as the index number in the

Art Unit: 2676

lookup table” is disclosed supra for claim 1. However Bollman and Ueda do not appear to disclose “further comprising means which blends: transformed color information obtained by setting the K-th color component of the color information in the image information of the original image as the index number in the lookup table; transformed color information obtained by setting the L-th color component of the color information as the index number in the lookup table; and transformed color information obtained by setting the M-th color component of the color information as the index number in the lookup table”, but Schilling does in col. 10, ln. 11 – col. 11, ln. 18. Wherein RGB corresponds to K, L and Mth components.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply texture mapping disclosed by Bollman and Ueda in combination with color information transformation via color look-up-table disclosed by Schilling, and motivated to combine the teachings because the color look-up-table via indices for R, G, B and α as revealed by Schilling.

B. Claim 7, “The game system as defined in claim 1, wherein an alpha value corresponding to the image information of the original image is generated by the transformation of the image information of the original image” is disclosed supra for claim 6.

C. Per dependent claims 24, 25, 42 and 43, these are directed to a computer usable program and a method, respectively, for the system of dependent claims 6 and 7, respectively, and therefore are rejected to dependent claims 6 and 7.

Response to Arguments

8. Applicant's arguments with respect to claim 1-8, 19-26, 37-44 and 55-60 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Responses

10. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9314 may be used for formal communications.

Art Unit: 2676

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

G. F. Cunningham

gfc

April 26, 2004

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600